



**Minnesota Pollution
Control Agency**

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 SWPPP Application for Reauthorization

for the NPDES/SDS General Small Municipal Separate
Storm Sewer System (MS4) Permit MNR040000
reissued with an effective date of August 1, 2013
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

Submittal: This MS4 SWPPP Application for Reauthorization form must be submitted electronically via e-mail to the MPCA at ms4permitprogram.pca@state.mn.us from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields. All applications will be returned if required fields are not completed.

Questions: Contact Claudia Hochstein at 651-757-2881 or claudia.hochstein@state.mn.us, Dan Miller at 651-757-2246 or daniel.miller@state.mn.us, or call toll-free at 800-657-3864.

General Contact Information (*Required fields)

MS4 Owner (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: City of Mounds View *County: Ramsey
(city, county, municipality, government agency or other entity)

*Mailing address: 2401 County Highway 10

*City: Mounds View *State: MN *Zip code: 55112

*Phone (including area code): 763-717-4050 *E-mail: nick.debar@ci.mounds-view.mn.us

MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

*Last name: DeBar *First name: Nicholas
(department head, MS4 coordinator, consultant, etc.)

*Title: Director of Public Works/City Engineer

*Mailing address: 2401 Highway 10

*City: Mounds View *State: MN *Zip code: 55112

*Phone (including area code): 763-717-4050 *E-mail: nick.debar@ci.mounds-view.mn.us

Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: Schleeter First name: Brad
(department head, MS4 coordinator, consultant, etc.)

Title: Project Manager

Mailing address: 2335 W Highway 36

City: St. Paul State: MN Zip code: 55113

Phone (including area code): 651-604-4801 E-mail: brad.schleeter@stantec.com

Verification

1. I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this MS4 SWPPP Application for Reauthorization form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). ☒ Yes
2. I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. ☒ Yes

Certification (All fields are required)

- ☒ Yes - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: Nicholas DeBar

(This document has been electronically signed)

Title: Director of Public Works/City Engineer

Date (mm/dd/yyyy): 12/02/2013

Mailing address: 2401 County Highway 10

City: Mounds View

State: MN

Zip code: 55112

Phone (including area code): 763-717-4050

E-mail: nick.debar@ci.mounds-view.mn.us

Note: The application will not be
processed without certification.

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

☐ No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved
Rice Creek Watershed District The District provides us with various stormwater related articles that are included in quarterly newsletters, handouts, webpage, etc.	
City coordinates plan review activities with the District	MCM 1, MCM 5

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

We facilitate coordination between the Ramsey Conservation District (RCD) and residents who want to plant infiltration features as part of our Stormwater Infiltration Program. The RCD prepares planting plan options for residents, who then install and maintain the plantings in an infiltration feature constructed as part of a City Street and Utility Improvement Project.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

☒ Ordinance ☐ Contract language
☒ Policy/Standards ☐ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

- *Regulating Illicit Discharge and Connections to Storm Drainage System Ordinance (see attached)*

- *Local Surface Water Management Plan Section 7.4.1: Pollution Prevention (see attached)*

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg*.

2. If **no**:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

Construction site stormwater runoff control

- A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language
☒ Policy/Standards ☐ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

- *Construction Site and Land Disturbance Runoff Control Ordinance (see attached)*

- *Local Surface Water Management Plan Section 7.2.5: Erosion and Sediment Control (see attached)*

Direct link:

- ☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg*.

- B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? ☐ Yes ☒ No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

B: We will update our Construction Site Stormwater Runoff Control regulatory mechanisms to be at least as stringent as the MPCA Construction Stormwater (CSW) permit. We will use the Construction Site Stormwater Runoff Control guidance documents provided by the MPCA to review the City's existing regulatory mechanisms to identify any deficiencies with the Construction Stormwater Permit. We will complete this review and subsequent updates to our regulatory mechanisms within 12 months of the date permit coverage is extended.

- C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- | | |
|--|---|
| 1. Best Management Practices (BMPs) to minimize erosion. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. BMPs to minimize the discharge of sediment and other pollutants. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. BMPs for dewatering activities. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Site inspections and records of rainfall events | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. BMP maintenance | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Management of solid and hazardous wastes on each project site. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Criteria for the use of temporary sediment basins. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C.3, C.4, C.6, C.8: We will update our Construction Site Stormwater Runoff Control regulatory mechanism to address items C.3, C.4, C.6, and C.8 within 12 months of the date permit coverage is extended. This update will likely include an adoption by reference to the City's Local Surface Water Management Plan (LSWMP) in the City's Construction Site and Land Disturbance Runoff Control Ordinance, and text added to the LSWMP to more clearly address the deficient items identified above.

Post-construction stormwater management

A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities?

☒ Yes ☐ No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

☒ Ordinance ☐ Contract language

☒ Policy/Standards ☐ Permits

☐ Rules

☐ Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

- *Surface Water Drainage Management and Development Control Ordinance (see attached)*

- *Local Surface Water Management Plan Section 7.2.1: Runoff Rate, Section 7.2.2: Flood Prevention and Floodplain Management, Section 7.2.3: Runoff Volume, Section 7.2.4: Nutrient and Sediment Loading (see attached)*

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. ☒ Yes ☐ No

2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):

a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No

1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).

2) Stormwater discharges of Total Suspended Solids (TSS).

3) Stormwater discharges of Total Phosphorus (TP).

b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No

1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).

2) Stormwater discharges of TSS.

3) Stormwater discharges of TP.

3. **Stormwater management limitations and exceptions:**

a. Limitations

1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas: ☐ Yes ☒ No

a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.

b) Where vehicle fueling and maintenance occur.

c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.

d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.

- 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas:
- a) With predominately Hydrologic Soil Group D (clay) soils.
 - b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
 - c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
 - d) Where soil infiltration rates are more than 8.3 inches per hour.
- 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process.
4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference:
 - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
 - b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP.
 - c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part.
 - d. Mitigation projects shall be completed within 24 months after the start of the original construction activity.
 - e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part.
 - f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e).
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:
- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance.
 - b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party.
 - c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

B.2 - B.5: We will update the City's Code of Ordinances to adopt by reference the sections in the City's currently adopted Local Surface Water Management Plan (LSWMP) that specifically address B.2 - B.5. This will create a direct tie from the City's Code of Ordinances to the regulatory mechanisms (City policies and standards found in the LSWMP) that address the post-construction stormwater management requirements in B.2 to B.5.

B.2.a-b: While the City's LSWMP identifies general goals to reduce runoff volume and TP and TSS loading, however, the requirements of B.2.a, and B.2.b are not described explicitly.

B.3.a.(1)-(2): the City's LSWMP references the limitations and exceptions for infiltration from the Rice Creek Watershed District Rules. The City's LSWMP section will be updated to include the entire list of prohibitions and restrictions in B.3.a.(1)-(2).

B.3.a.(3): We will update the City's LSWMP to include a policy that specifically addresses the linear project requirements in B.3.a.(3).

B.4.a-f: We will develop a City Policy in the City's LSWMP for offsite stormwater mitigation that meets the requirements in B.4.

B.5.a-c: We will develop a City Policy in the City's LSWMP that will address long-term maintenance of structural stormwater BMPs not owned or operated by the City that meets the requirements in B.5.

All of the actions identified above will be completed within 12 months of the date permit coverage is extended.

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)? ☐ Yes ☒ No

1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.
2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

We will amend Section 912.11 in the City's Regulating Illicit Discharge and Connections to Storm Drainage System ordinance to include all of the ERP documentation requirements in Part III.B.2 of the MS4 Permit. We will also review this section to determine if the enforcement mechanisms could be improved or expanded.

We will amend Section 1303.09 and/or 1303.10 the City's Construction Site and Land Disturbance Runoff Control ordinance to include the ERP documentation requirements in Part III.B.2 of the MS4 Permit.

We will develop a policy in the City's LSWMP that identifies Enforcement Response Procedures for Post-Construction Stormwater Management, including the documentation requirements as identified in Part III.B.2 of the MS4 Permit.

All of the actions identified above will be completed within 12 months of the date permit coverage is extended.

B. Describe your ERPs:

Section 912.11 in the City's Regulating Illicit Discharge and Connections to Storm Drainage System ordinance, the following enforcement actions are available to the City:

- Misdemeanor
- Suspension due to the detection of illicit discharge
- Violations deemed a public nuisance
- Assessments

Sections 1303.09 and 1303.10 in the City's Construction Site and Land Disturbance Runoff Control ordinance, the following enforcement actions are available to the City:

- Right of Entry
- Letter of Warning
- Notice of Violation
- Emergency Corrective Action
- Suspension of Revocation

- City Remedy
- Stop Work Order
- Fines
- Misdemeanor

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

We periodically review our Stormwater System Map and add new infrastructure from past projects. Based on the requirements of the MS4 permit, we need to add additional information to this map.

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. ☐ Yes ☒ No
2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. ☒ Yes ☐ No
3. Structural stormwater BMPs that are part of the permittee's small MS4. ☐ Yes ☒ No
4. All receiving waters. ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

B.1: Our Stormwater System Map includes all pipes 12-inches or greater, however, we need to add flow arrows.

B.3: Our Stormwater System Map needs to be updated to include all current structural stormwater BMPs.

These tasks will be completed within 12 months of the date permit coverage is extended.

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172. Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. ☒ Yes ☐ No
2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. ☒ Yes ☐ No

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

1. A unique identification (ID) number assigned by the permittee. ☒ Yes ☐ No
2. A geographic coordinate. ☐ Yes ☒ No
3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. ☒ Yes ☐ No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

D.2: We need to assign geographic coordinates to all the inventoried features. Once we confirm that all features have been identified and inventoried, we will complete the MPCA inventory form and submit this form within 12 months of the date permit coverage is extended

E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4>, according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*. ☐ Yes ☒ No

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

A. MCM1: Public education and outreach

1. The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

Our public education and outreach program includes stormwater related articles in our quarterly newsletter "Mounds View Matters", stormwater related brochures available at City Hall and the Mounds View Community Center, a stormwater page on our website that is regularly updated with stormwater related information, and a 30-day public notice for our annual MS4 public meeting. In addition, we use the Rice Creek Watershed District and Ramsey Conservation District as a resource for residents in the implementation of our Stormwater Infiltration Program.

2. List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Stormwater related articles	Include at least 1 stormwater related item in each edition of our quarterly newsletter "Mounds View Matters".
Stormwater related brochures	Make at least 4 stormwater related brochures available at City Hall continuously.
Stormwater webpage	Provide basic stormwater related information for users, helpful links to stormwater related information, post the City's current SWPPP and Surface Water Management Plan, and the presentation materials from the previous MS4 public meeting.
30-day public notice for annual stormwater meeting	Publically notice the annual stormwater meeting at least 30 days prior to the meeting in the local newspaper, on the City's website, and posted at City Hall.

BMP categories to be implemented	Measurable goals and timeframes
Illicit discharge information on webpage	Update our stormwater webpage to include illicit discharge information, including recognition and reporting information for users. We will include our stormwater hotline and other contact information for reporting illicit discharges. This work will be completed within 12 months of the date permit coverage is extended.
Illicit discharge education and outreach materials	Provide illicit discharge education and outreach materials specific to residents and businesses that will be available at City Hall and mailed out in a utility billing at least once during the permit term.
Stormwater display at Town Hall meeting	Create an educational display highlighting the Stormwater Infiltration Program, specifically infiltration features (both turf grass features and planted raingarden features) constructed in Mounds View and have it on display at City Hall during our annual Town Hall meeting.

3. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of Public Works

B. MCM2: Public participation and involvement

1. The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

Our public participation and involvement program includes our annual MS4 stormwater public meeting, an annual Spring and Fall clean-up days, our Adopt-A-Rain Garden Program for residents who committed to maintaining a rain garden, and our stormwater hotline for residents to register complaints, report stormwater related violations, or provide input on our stormwater program.

2. List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Annual MS4 stormwater public meeting	Hold an annual meeting for the length of the permit cycle to present our stormwater program and take written or oral comments on this program.
Stormwater hotline	Continue to monitor our hotline for citizens to register complaints regarding erosion and sediment control violations, report illicit discharges or illicit connections, or provide input on our stormwater program. Comments are regularly logged and distributed to the appropriate staff members.
Adopt-a-rain garden program	We actively promote the installation of rain gardens in City right-of-way within our street reconstruction projects. We connect interested parties to resources for cost sharing, rain garden layout, plant selection, and installation and maintenance recommendations.
Household cleanup days	We conduct a household cleanup day twice annually to allow the public to dispose of tires, furniture, scrap metal, wood, appliances, electronics, and other hazardous and non-hazardous waste material.
BMP categories to be implemented	Measurable goals and timeframes
Rain garden maintenance workshop	Invite staff from a local organization knowledgeable about rain garden maintenance (e.g. Ramsey Conservation District, Rice Creek Watershed District, Blue Thumb, etc.) to conduct an on-site rain garden maintenance workshop at least once during the permit term.
RCWD coordination meeting	We will invite staff from the Rice Creek Watershed District to a public meeting to inform staff, city officials, and the public about news, updates, and programs being offered by the District. This BMP will occur at least once during the permit term.

3. Do you have a process for receiving and documenting citizen input? ☒ Yes ☐ No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of Public Works

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

We have an Illicit Discharge and Connection ordinance that regulates illicit discharge and connections to our MS4. This ordinance identifies the proper procedure once an illicit discharge or connection is identified, including violations, enforcement, and penalties for non-compliance. Staff in our public works department are trained in proper procedures for inspecting and identifying illicit discharges and connections during dry-weather inspections.

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?
- a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). ☐ Yes ☒ No
 - b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. ☒ Yes ☐ No
 - c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. ☒ Yes ☐ No
 - d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. ☐ Yes ☒ No
 - e. Procedures for the timely response to known, suspected, and reported illicit discharges. ☐ Yes ☒ No
 - f. Procedures for investigating, locating, and eliminating the source of illicit discharges. ☐ Yes ☒ No
 - g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. ☐ Yes ☒ No
 - h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C.2.a: we will update our illicit discharge and inspection program to reference the MS4 permit requirement that illicit discharge detection inspections should be incorporated into all inspection and maintenance activity under the permit.

C.2.d: we will update our illicit discharge and inspection program to identify priority areas likely to have illicit discharges. This identification process will evaluate land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge.

C.2.e: we will update our illicit discharge and inspection program to identify a formal procedure for responding to known, suspected, and reported illicit discharges.

C.2.f: we will update our illicit discharge and inspection program to develop procedures for investigating, locating, and eliminating the source of illicit discharges.

C.2.g: we will update our illicit discharge and inspection program to identify procedures for responding to spills, including emergency response procedures to prevent spills from entering our MS4. This procedure will include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. 115.061.

All of these actions will be completed within 12 months of the date permit coverage is extended.

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Stormwater system map	Regularly update our existing stormwater system map to

	include new infrastructure from the past.
Illicit discharge and connection ordinance	Continue to enforce our existing illicit discharge and connection ordinance
Sanitary sewer maintenance program	Continue to inspect and maintain (including cleaning, repair, or replacement) our sanitary sewer system to reduce the potential for sanitary sewer overflows.
Illegal dumping ordinance	Continue to enforce our existing illegal dumping ordinance prohibiting the illegal dumping of trash or debris on public or private property.
Inspections	Continue to inspect and document illicit discharge and connection inspections during dry-weather conditions. We will continue to document all inspections, results, and actions necessary to eliminate the illicit discharge or connection, and present the prior year's actions at the annual MS4 stormwater meeting.
Training	Continue our regular City staff training on the types of potentially illicit discharges, connections, and common illegal dumping within the City and how to identify them.
BMP categories to be implemented	Measurable goals and timeframes
Illicit discharge information and reporting	Include illicit discharge information on our stormwater webpage, including the stormwater hotline number for reporting illicit discharges or connections. This work will be completed within 12 months of the date permit coverage is extended.
Potential illicit discharge prioritization map	Create a map identifying priority areas and outfalls in these areas that should be inspected more frequently. This work will be completed within 12 months of the date permit coverage is extended.
Inspections	High priority areas and high priority outfalls will be inspected at a higher frequency.
Documentation	Within 12 months of the date permit coverage is extended, review and update our current illicit discharge documentation form to verify that it meets the documentation requirements in the MS4 permit.

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? ☐ Yes ☒ No

If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

We will update our illicit discharge and connection program to include the documentation requirements identified in the MS4 permit Part III.D.3.h. within 12 months of the date permit coverage is extended.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of Public Works

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

We have a Construction Site and Land Disturbance Runoff Control ordinance that regulates land disturbing activity. The ordinance describes the City land disturbance permit, permit submittal requirements, the permit review and approval process, and enforcement actions and penalties for violations. City staff or a designated agent will continue to perform construction site ESC inspections for land disturbing activity in the City. We have a site plan review procedure in place to determine if an application meets City requirements. Prior to land disturbing activities, we hold a preconstruction meeting to discuss stormwater runoff, ESC BMPs, construction staging, and other issues associated with grading activities.

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):

- a. Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? ☒ Yes ☐ No

- b. Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R100001*? ☐ Yes ☒ No
- c. Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? ☐ Yes ☒ No
- d. Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
- 1) Does your program include procedures for identifying priority sites for inspection? ☐ Yes ☒ No
 - 2) Does your program identify a frequency at which you will conduct construction site inspections? ☐ Yes ☒ No
 - 3) Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? ☐ Yes ☒ No
 - 4) Does your program include a checklist or other written means to document construction site inspections when determining compliance? ☒ Yes ☐ No
- e. Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? ☒ Yes ☐ No
- f. Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? ☒ Yes ☐ No
- g. Does your program retain construction site inspection checklists or other written materials used to document site inspections? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

D.2.b: we will update our construction stormwater program to include a notification to permit applicants that they may need to obtain Construction Stormwater Permit coverage.

D.2.c: we will update our construction stormwater program to develop written procedures for the receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the City.

D.2.d.1): we will update our construction site stormwater runoff control program to include a procedure to identify priority sites for inspection.

D.2.d.2): we will update our construction site stormwater runoff control program to identify construction site inspection frequencies.

D.2.d.3): we will update our construction site stormwater runoff control program to identify position titles of those responsible for conducting construction site inspections.

All of these actions will be completed within 12 months of the date permit coverage is extended.

3. List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Ordinance	Continue to enforce existing Construction Site and Land Disturbance Runoff Control.
Plan review process	Continue to implement our plan review procedures.
Inspections	Continue weekly inspections (or following a 0.5-inch rainfall event) for all active construction projects during the growing season.
Preconstruction meeting	Prior to land disturbing activity requiring City approval, we will continue to hold a pre-construction meeting.
BMP categories to be implemented	Measurable goals and timeframes
Plan review checklist	Create a plan review checklist to accompany our Land Disturbance Permit application that clearly states submittal requirements and identifies that applicants may need to obtain

	NPDES Construction Stormwater Permit coverage. This checklist will be developed within 12 months of the date permit coverage is extended.
Prioritize inspections	Develop criteria by which projects are identified as "priority projects" due to factors such as: steep slopes, proximity to sensitive receiving waters, etc. Priority projects will be inspected more frequently than regular ESC inspections. This criteria will be developed within 12 months of the date permit coverage is extended.
Program updates	Make the necessary updates to our construction stormwater program as indicated above within 12 months of the date permit coverage is extended.
Ordinance updates	Revise our Construction Site and Land Disturbance Runoff Control ordinance as necessary to meet MS4 permit requirements within 12 months of the date permit coverage is extended.

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of Public Works

E. MCM 5: Post-construction stormwater management

1. The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

We have a Surface Water Drainage Management and Development Control ordinance in place. Our plan reviews follow the City's stormwater management design standards. Our current ordinance adopts by reference the City's Local Surface Water Management Plan.

2. Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? ☐ Yes ☒ No
3. Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
- a. Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? ☒ Yes ☐ No
- b. All supporting documentation associated with mitigation projects that you authorize? ☐ Yes ☒ No
- c. Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? ☐ Yes ☒ No
- d. All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

E.2: we will update our post construction stormwater management program to include written procedures for site plan reviews to be used during the city review process.

E.3.b: we will update our post construction stormwater management program to include the documentation requirements for any stormwater mitigation projects deemed acceptable by the City.

E.3.c: we will update our post construction stormwater management program to include a procedure for how funds are collected and spent from a pay-in-lieu of constructing stormwater BMPs.

E.3.d: we will update our post construction stormwater management program to identify long term maintenance requirements for BMPs not owned or operated by the City. The Rice Creek Watershed District requires that a long term maintenance agreement be completed for any new BMP constructed in the City, so we will develop a procedure to file and track these agreements.

All of these activities will be completed within 12 months of the date permit coverage is extended.

4. List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Ordinance	Continue to enforce existing Surface Water Drainage Management and Development Control ordinance.
Stormwater design standards	Our Local Surface Water Management Plan includes stormwater design requirements and references to Rice Creek Watershed District standards to guide the installation of stormwater BMPs aimed at reducing pollutant loads from new, redevelopment, and linear projects.
Plan review process	Continue to implement our plan review procedures.
BMP categories to be implemented	Measurable goals and timeframes
Ordinance updates	Revise our Surface Water Drainage Management and Development Control ordinance as necessary to meet MS4 permit requirements within 12 months of the date permit coverage is extended. This will include an updated reference to the design standards in the City's Local Surface Water Management Plan.
Stormwater design standards update	Within 12 months of the date permit coverage is extended, update City stormwater design standards included in our Local Surface Water Management Plan to be consistent with the requirements of the Rice Creek Watershed District and MS4 permit.
BMP long term maintenance procedure	Within 12 months of the date permit coverage is extended, we will develop a procedure for filing and tracking BMP long term maintenance agreements
Meeting with owners of private BMPs	Meet once within the permit cycle with owners of private BMPs to review their operation and maintenance activities on the BMP.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of Public Works

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

1. The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

We inspect all city owned and maintained structural pollution control devices annually and city owned and maintained ponds and outfalls at a minimum 20% per year. We inspect stockpiles, storage and handling areas regularly and sweep City streets at least bi-annually. Maintenance staff are trained periodically on the following practices:

- Proper handling, storage, and application procedures for municipal lawn care products
- Proper handling, storage, and application procedures for street de-icing products and awareness of possible new products.
- Fleet and bulding operation and maintenance
- Hazardous material storage and recycling program
- Stormsewer maintenance

2. Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? ☐ Yes ☒ No

3. If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

We will prepare a facilities inventory as outlines in the MS4 permit Part III.D.6.a. and complete this inventory within 12 months of the date permit coverage is extended.

4. List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Structural stormwater BMPs, pond, and outfall inspections	Continue to inspect Structural stormwater BMPs annually, and ponds and outfalls at least once within the permit term. We use an inspection form that meets the documentation requirements in the MS4 permit.
Street sweeping	Continue sweeping City streets at least bi-annually.
Staff training	Continue regular training of staff covering a variety of stormwater related topics as identified above.
Stormsewer maintenance program	Continue current stormsewer inspection and maintenance program
Potential pollutant management program	We periodically review our potential pollutant management program, which includes various City maintenance and safety activities (e.g. municipal lawn care, street de-icing, fleet and building operation and maintenance, and hazardous material storage and recycling) to determine if our current procedures for proper handling, storage, and application meet current requirements.
BMP categories to be implemented	Measurable goals and timeframes
Stockpile, and storage and handling area inspections	Increase current inspection frequency to quarterly inspections of City owned and operated stockpiles, and storage and material handling areas.
Facilities inventory	Complete a facilities inventory of City owned and operated facilities within 12 months of the date permit coverage is extended.
Pond assessment	Relying on the guidance provided by the MPCA, we will develop a procedure for determining the TP and TSS treatment effectiveness of City owned ponds within the length of permit term.

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? ☒ Yes ☐ No

a. If **no**, continue to 6.

b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:

- 1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? ☒ Yes ☐ No
- 2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? ☒ Yes ☐ No
- C. Have you developed and implemented BMPs to protect any of the above drinking water sources? ☒ Yes ☐ No
6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? ☐ Yes ☒ No
7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? ☐ Yes ☒ No
8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:
- a. Addresses the importance of protecting water quality? ☐ Yes ☒ No
- b. Covers the requirements of the permit relevant to the duties of the employee? ☐ Yes ☒ No
- c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? ☐ Yes ☒ No
9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

6. *We will develop procedures for determining the TP and TSS treatment effectiveness of City owned ponds.*

7. *We inspect structural stormwater BMPs annually, and ponds and outfalls once within the permit cycle. However, we are currently only inspecting stockpile, storage and material handling areas annually. This will be changed to quarterly to meet the MS4 Permit requirements.*

8. *We have an employee stormwater training program, however, we will improve our training program to meet the requirements of the MS4 Permit, specifically items 8a, 8b, and 8c identified above.*

We will complete these tasks within 12 months of the date permit coverage is extended.

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Director of Public Works

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? ☐ Yes ☒ No
1. If **no**, continue to section VII.
2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? ☐ Yes ☒ No
1. If **no**, this section requires no further information.
2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming

convention: *MS4NameHere_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program

CHAPTER 1303

CONSTRUCTION SITE AND LAND DISTURBANCE**RUNOFF CONTROL**

(Added, Ord. 804, 11-19-08)

SECTION:

- 1303.01: Findings of Fact
- 1303.02: Purpose
- 1303.03: Definitions
- 1303.04: General Conformance
- 1303.05: Conflict with Other Laws
- 1303.06: Land Disturbance Permit
- 1303.07: Submittal Requirements
- 1303.08: Permit Review and Approval Process
- 1303.09: Enforcement Process
- 1303.10: Penalties

1303.01: **FINDINGS OF FACT:** The City of Mounds View hereby finds that uncontrolled land disturbance activities are subject to SOIL EROSION and other pollutants which enter into receiving water bodies adversely affecting the public health, safety and general welfare by impacting water quality, creating nuisances, impairing other beneficial uses of environmental resources and hindering the ability of the City of Mounds View to provide adequate water, sewage, flood control and other community services.

1303.02: **PURPOSE:** The purpose of the Chapter is to promote, preserve and enhance the natural resources within the City of Mounds View and protect them from adverse effects occasioned by poorly sited development or incompatible activities by regulating land disturbance activities that would have an adverse and potentially irreversible impact on water quality and environmentally sensitive land; by minimizing conflicts and encouraging proper installation and maintenance of best management practices (BMPs) for land disturbance activities; and by requiring detailed review standards and procedures for land disturbance activities proposed for such areas.

1303.03: **DEFINITIONS:** For the purposes of this Chapter the definitions listed hereunder shall be construed as specified in this Section.

- Subd. 1. **APPLICANT:** Any person or group that applies for a permit to allow land disturbance activities. Applicant also means that person's agents, employees, and others acting under this person's or group's direction. The term "applicant" also refers to the permit holder or holders and the permit holder's agents, employees, and others acting under this person's or group's direction.
- Subd. 2. **APPROVAL:** Shall mean the proposed work or completed work conform to this Chapter in the opinion of the City.
- Subd. 3. **CITY:** Is the administrative staff, or its agent, of the City of Mounds View.
- Subd. 4. **COMMON PLAN OF DEVELOPMENT OR SALE:** A contiguous area where multiple separate and distinct land disturbance activities may be taking place at different times, or on different schedules, but under one (1) proposed plan including but not limited to mass site grading, utility installation, street construction and home or building construction. This item is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land disturbance activities may occur.
- Subd. 5. **EARTHEN MATERIAL:** Any rock, natural soil or fill and/or any combination thereof.
- Subd. 6. **EROSION:** The wearing away of the ground surface as a result of the movement of wind, water and/or ice.
- Subd. 7. **EROSION CONTROL:** Methods employed to prevent erosion. Examples include soil stabilization practices, horizontal slope grading, temporary or permanent cover, and construction phasing.
- Subd. 8. **EXCAVATION:** The mechanical removal of earthen material.
- Subd. 9. **FILL:** A deposit of earthen material occurring via human activity.
- Subd. 10. **FINAL STABILIZATION:** All soil disturbance activities on the site or common plan of development or sale have been completed, and that a uniform (evenly distributed, e.g., without large bare areas) perennial vegetative cover with a density of at least seventy percent (70%) of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures have been employed, and that all temporary erosion control devices are removed, including silt fence, temporary sedimentation basins, and temporary standpipes. Simply sowing grass seed and/or mulch is not considered final stabilization. Final stabilization of a common plan of development or sale includes completion of building or home construction along with final restoration of all yards and adjacent drainage ways.

- Subd. 11. **GRADE:** The vertical location of the ground surface.
- Subd. 12. **GRADING:** Any excavating or filling or combination thereof.
- Subd. 13. **LAND DISTURBANCE ACTIVITY:** Any land change that may result in soil erosion from water or wind and the movement of sediment into or upon waters or lands within the City's jurisdiction, including construction, clearing and grubbing, grading, excavating, transporting and filling of land.
- Subd. 14. **LAND DISTURBANCE PLAN:** A joint storm water and erosion and sediment control plan that is a document containing the requirements of this Chapter and the City of Mounds View Land Disturbance Plan and Implementation Requirements, that when implemented will decrease soil erosion on a parcel of land and off-site nonpoint pollution. It involves both temporary and permanent controls.
- Subd. 15. **PERMANENT CONTROLS:** Erosion and/or sediment control measures installed that are not intended to be removed from the project site. Examples of such protection are swales, ponds, sediment basins, turf reinforcement mats, storm sewer systems, and riprap.
- Subd. 16. **PERMANENT COVER:** Examples including grass, gravel, asphalt, and concrete. See also the definition of final stabilization.
- Subd. 17. **PERMIT:** A written warrant or license granted for land disturbance activities.
- Subd. 18. **SEDIMENT:** The product of an erosion process; solid material both mineral and organic, that is in suspension, is being transported, or has been moved by water, wind, or ice, and has come to rest either above or below water level.
- Subd. 19. **SEDIMENTATION:** The process or action of depositing sediment.
- Subd. 20. **SEDIMENT CONTROL:** The methods employed to prevent sediment from leaving a site. Examples of sediment control practices are silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, storm drain inlet protection, and temporary or permanent sedimentation basins.
- Subd. 21. **SITE:** Any lot or parcel of land or contiguous combination thereof, under the same ownership, where a land disturbance activity is performed or permitted.
- Subd. 22. **SLOPE:** An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
- Subd. 23. **SOIL:** Naturally occurring superficial deposits overlying bedrock.

- Subd. 24. **STORM WATER:** Precipitation runoff, storm water runoff, snow melt runoff, and any other surface runoff and drainage, as defined under Minnesota Rule 7077.0105, subpart 41b.
- Subd. 25. **WETLANDS:** As defined in Minnesota Rules 7050.0130, subpart F, are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated SOIL conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state.

1303.04: **GENERAL CONFORMANCE:** The owner of a SITE or manager of a common plan of development or sale shall be responsible for maintaining any land disturbance activity in such a way as not to create a hazard to life and limb; or endanger the environment; or adversely affect the safety, use or stability of a property, public way or drainage channel; or deposit sediment on or into adjacent properties, right-of-ways, drainage systems or wetlands until final stabilization has been achieved.

Whenever the City determines that any land disturbance activity has become a hazard to life and limb; or endangers the environment; or adversely affects the safety, use or stability of a property, public way or drainage channel; or deposits sediment on or into adjacent properties, right-of-ways, drainage systems or wetlands, the owner of the property upon which the land disturbance activity is located, or other person or agent in control of said property, upon receipt of notice in writing from the City, shall within the period specified therein repair or eliminate such land disturbance activity so as to eliminate the hazard and be in conformance with the requirements of this Chapter. The City may inspect any property for conformance with this Chapter.

1303.05: **CONFLICT WITH OTHER LAWS:** If the requirements of this Chapter are in conflict with any other law, the stricter requirements shall be enforced.

1303.06: **LAND DISTURBANCE PERMIT:**

- Subd. 1. **PERMIT APPLICABILITY:** Except as exempted in subdivision 4 of this Section, no person shall conduct any land disturbance activity without first obtaining a Land Disturbance permit from the City. A separate shall be required for each site or common plan of development or sale, and may cover both excavations and fills. Any changes or deviation from previously reviewed plans require an amended permit be applied for and approved before the work is performed.
- Subd. 2. **LAND DISTURBANCE PERMIT FEES:** A fee for each land disturbance permit shall be paid to the City as established by resolution of the City Council.

- Subd. 3. EXPIRATION: Every permit issued by the City under the provisions of this Chapter shall expire by limitation and become null and void if the work authorized by such permit is not commenced within ninety (90) days from the date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one (1) year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee. Any permittee holding an unexpired permit may apply for an extension of the time within which the permittee may commence work under that permit when the permittee is unable to commence work within the time required by this Section for good and satisfactory reasons. The City may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.
- Subd. 4. EXEMPTIONS: No person shall do any land disturbance activity without first obtaining a land disturbance permit from the City, except that no permit shall be required for the following activities:
- a. A LAND DISTURBANCE ACTIVITY which meets all of the following requirements:
- (1) Is located in an isolated, self-contained area and does not have the potential to discharge water from the site or into natural water bodies within the site;
 - (2) There is no danger apparent to private and/or public property;
 - (3) Does not infringe upon any wetland or ponding area or impede any drainage course;
 - (4) The total area of disturbance is less than one (1) acre and is not part of a common plan of development or sale that is equal to or greater than one (1) acre;
 - (5) The total volume of disturbed, stockpiled, disposed of, or used as fill does not exceed fifty (50) cubic yards; and

(6) Is an EXCAVATION that is less than two feet (2') in depth and does not create a cut slope greater than five feet (5') in height, or it steeper than two (2) horizontal to one (1) vertical or is a FILL that is less than two feet (2') in depth and place on natural terrain with a slope flatter than three (3) horizontal to one (1) vertical, or is less than three feet (3') in depth, not intended to support structures.

b. Any LAND DISTURBANCE ACTIVITY that disturbs less than one (1) acre and disturbs, stockpiles, disposes of, or uses FILL more than fifty (50) cubic yards and has received a written waiver to apply for land disturbance activities by the CITY. Waivers will be considered on an individual basis depending on drainage characteristics or risk of environmental or property damage.

c. Refuse disposal SITE controlled by other regulations, laws or the City Code.

d. EXCAVATION for wells or tunnels or utilities controlled by other regulations, laws or the City Code.

e. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law or ordinance. This shall not exempt these types of activities from the conditional permit requirements set forth by the City Code.

f. Tilling, planting, or harvesting of agricultural, horticultural or forestry crops.

g. Exploratory excavations and borings under the direction of geotechnical engineers or engineering geologists.

h. Emergency work necessary to protect life, limb, or property.

i. City, county, state or federal agency projects whose plans and specifications meet the requirements of this Chapter and are reviewed and approved by the City under a separate process.

j. A lot for which a building permit has been approved on or before the effective date of this Chapter.

k. Any part of a subdivision if a final plat for the subdivision has been approved by the City Council on or before the effective date of this Chapter.

l. Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.

Exemption from the permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the appropriate best management practices set forth in the City of Mounds View Land Disturbance Plan and Implementation Requirements.

1303.07: SUBMITTAL REQUIREMENTS:

Subd. 1. **PERMIT APPLICATION:** To obtain a permit, the applicant shall first file an application on a form furnished by the City for that purpose. Every such application shall:

- a. Identify and describe the work to be covered by the permit for which application is made.
- b. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
- c. Indicate the purpose of the proposed work.
- d. Be accompanied by plans, diagrams, computations and specifications and other data as required in subdivision 3 of this Section.
- e. State the valuation of the work.
- f. Create a land disturbance plan as required by subdivision 3 of this Section.
- g. Be signed by the permittee or authorized agent.
- h. Give such other data and information as may be required by the City.
- i. Approximate start date and anticipated date of completion.

Subd. 2. **FINANCIAL SECURITY:**

- a. **Security Required.** The applicant shall provide the City with financial security to ensure the performance of the applicant's obligation pursuant to this Chapter. The financial security may be in the form of a bond, letter of credit, escrow deposit or cash. The financial security must be provided to the City upon the submittal of the permit application. The City may use the financial security to assure that the work is completed in accordance with the submitted plans and specifications and the provisions of this Chapter. The financial security may also be used by the City to eliminate any hazardous conditions associated with the work and to repair any damage to public property or infrastructure that is caused by the work. Applicants who are applying for land disturbance permit for projects that consist of one (1) lot with one (1) single family home are exempt from the financial security requirement of this Chapter, so long as the City determines that there is no potential for environmental degradation.

b. Amount of Security. The amount of security shall be one-hundred twenty-five percent (125%) of the estimated cost to accomplish compliance with the approved Land Disturbance permit or two thousand dollars (\$2,000.00), whichever is greater, in addition to any other security performance required by any other regulations in this Code. The estimated cost shall be subject to approval by the City Public Works Department.

c. Reduction of Financial Security. If requested by the applicant, the amount of the financial security may be reduced by the City, subsequent to City inspection. Said reduction will be based upon the extent to which the grading and restoration have been completed and shall consider the continued need for erosion control. At no time prior to final stabilization, shall the security be reduced to less than ten percent (10%) of the total original security amount.

d. Release of Security. Any remaining amount of the financial security deposited with the City for faithful performance of the plans and specifications and any related remedial work will be released after the completion and inspection of all such measures and the establishment of final stabilization, for the permitted site or common plan of development or sale.

e. City Remedy. If compliance with the approved Land Disturbance permit is not accomplished within the allowable time period, the City may bring the project into compliance by use of the security.

f. Exemptions. The City shall be exempt from the requirements of this Section.

Subd. 3. LAND DISTURBANCE PLAN: Each application for a Land Disturbance permit shall be accompanied by copies of a land disturbance plan consisting of the following dependent upon the type and size of land disturbance activity conducted as described below:

a. For any individual residential lots or commercial and industrial land disturbing less than one (1) acre; and fill or excavate less than one hundred (100) cubic yards:

(1) Identification of proposed contour grading on the site at vertical intervals of not more than two (2) feet;

(2) Drainage patterns clearly shown using arrows depicting direction of flow;

(3) A map showing the stages or limits of grading together with the existing or proposed finished elevations based on sea level readings;

(4) Identification of proposed building bench elevations;

(5) Submission of preliminary plans or program for water supply, sewage disposal, drainage and flood control;

(6) Soil borings, if required by the City Engineer;

(7) Appropriate best management practices set forth in this Chapter and the City of Mounds View Land Disturbance Plan and Implementation Requirements developed by the City; and

(8) Other information as required by the City based on specific project characteristics.

b. For all subdivisions and commercial or industrial sites in which land disturbance activities will impact one (1) or more acre; or fill or excavate over one hundred (100) cubic yards, whichever is more restrictive; or any other site if determined appropriate by the City Engineer due to potential impacts to wetlands or sensitive receiving waters.

(1) Grading Plan. A grading plan shall be provided that clearly indicates the proposed land disturbance activities. Both existing and proposed topography shall be shown and have a maximum contour interval of two feet (2'). Drainage patterns shall be clearly shown using arrows depicting direction of flow. Other information shall be shown as required by the City based on specific project characteristics.

(2) Phasing Plan. A phasing plan shall be provided that clearly indicates the areas in the order they are to be disturbed and restored. The phasing plan shall consider minimization of area and duration of exposed soil and unstable conditions, minimization of the disturbance of natural soil cover and vegetation, erosion and sediment control measure installation, weather conditions and the schedule for temporary and permanent restoration. The area and duration of each phase shall be indicated on the plan.

(3) Pond Detail Sheet. A pond detail sheet shall be provided for each proposed storm water pond that shows detailed pond design including normal water level, high water level, aquatic bench, maintenance bench, outlet structures, emergency overflow locations and other project specific data required by the City.

(4) Standard Detail Sheet. A standard detail sheet shall be provided that consists of applicable construction details for approved erosion and sediment control measures as developed by the City. Other techniques may be used upon prior approval by the City with details provided by the designer.

(5) Specifications. Written specifications for land disturbance activities such as product descriptions, installation and maintenance procedures required by the applicant to carry out the project in accordance with this Chapter.

(6) Storm Water Pollution Prevention Plan (SWPPP) as required under the National Pollution Discharge Elimination System (NPDES) Storm Water Permit issued by the MPCA. The storm water pollution prevention plan shall consist of three (3) components, (1) a temporary erosion and sediment control plan, (2) a permanent erosion and sediment control plan, and (3) a narrative.

(a) Temporary Erosion and Sediment Control Plan: Shall be provided that indicates the location of perimeter controls, construction fence, temporary sedimentation basins, inlet protection, areas to be seeded, areas to be mulched or blanketed, location of construction waste control (dumpsters, chemical storage, concrete washout, portable restroom facilities, etc.) and all other required temporary erosion and sediment control measures as described in the City of Mounds View Land Disturbance and Implementation Requirements. This plan shall also indicate staging of temporary erosion control measures.

(b) Permanent Erosion and Sediment Control Plan: Shall be provided that indicates areas to be seeded and sodded, sediment ponds, storm sewer systems and all other required permanent erosion and sediment control measures. Permanent storm water pollution controls including, but not limited to ponds, vegetated buffers and structural measures shall be designed and constructed in accordance with other Chapters of the City Code and requirements of other agencies having jurisdiction.

(c) Narrative: Shall be provided that describes, at a minimum, the nature of construction activity, person(s) responsible for inspection and maintenance of site erosion and sediment control including contact information, project phasing, schedules, along with the timing, installation and maintenance of erosion and sediment control measures and specifications necessary to carry out the project.

Subd. 4. NPDES PERMIT DOCUMENTATION: The property owner's agent shall apply for and be issued a National Pollution Discharge Elimination System (NPDES) general storm water permit from the Minnesota Pollution Control Agency (MPCA); and shall submit to the City a copy of the MPCA Certificate of Permit Coverage.

1303.08: **PERMIT REVIEW AND APPROVAL PROCESS:**

Subd. 1. PROCESS: LAND DISTURBANCE PLANS meeting the requirements of Section 1303.07, subdivision 3 and minimum Best Management Practices requirements of the City of Mounds View Land Disturbance and Implementation Requirements will be reviewed administratively by City staff and/or by the City Council.

If the land disturbance plan indicates land disturbance of three (3) or more acres, the land disturbance plan shall be reviewed by the City Council. The City Council may approve, approve with conditions, or deny the land disturbance plan. If applicable, City Council action on the land disturbance plan must be accomplished within sixty (60) days following the date the application for approval is filed with the City.

If the land disturbance plan indicates land disturbance of less than three (3) acres, the land disturbance plan may be approved administratively by City staff, unless it is determined that City Council review is necessary. City staff may approve, approve with conditions, or deny the land disturbance plan. For administrative reviews, City action on the plan will normally be accomplished within fourteen (14) days following the date the application for approval is filed with the City. Land disturbance plans denied at the staff level may be appealed to the City Council for Council review by the applicant, if such appeal is filed in writing within fourteen (14) days of said appeal.

Subd. 2. APPROVAL STANDARDS:

a. Generally. All sites with land disturbance activities shall be prepared and maintained to control against erosion and sedimentation as set forth in this Chapter and the City of Mounds View Land Disturbance Plan and Implementation Requirements.

b. Erosion and Sediment Control. Temporary and permanent erosion and sediment control measures shall be installed on all sites as necessary to prevent erosion and sedimentation from impacting any adjacent property, rights-of-way, drainage system, lake, pond, wetland, watercourse, natural resource or other protected area.

c. Implementation of Land Disturbance Plan. All erosion and sediment control measures must be operational prior to the start of any land disturbance activity as specified in the storm water pollution prevention plan, construction plans and specifications, the City of Mounds View Land Disturbance Plan and Implementation Requirements, or as deemed necessary by the City based on actual site conditions.

d. Inspection. Inspection of the land disturbance plan measures will be carried out as required by the City approved land disturbance permit conditions of approval and the City of Mounds View Land Disturbance Plan and Implementation Requirements.

e. Maintenance. All erosion and sediment control measures must be maintained throughout the duration of the project. Deficiencies found through inspection of a site shall be repaired as necessary to bring the site into conformance with this Chapter, the plans and specifications, the City of Mounds View Land Disturbance Plan and Implementation Requirements and as set forth in the land disturbance permit conditions or approval. At minimum, land disturbance plan items shall be maintained as follows:

(1) If a perimeter erosion control device is found to have sediment accumulation in excess of one third (1/3) of the total device height, the sediment shall be removed within twenty four (24) hours of discovery.

(2) If an erosion control device is found to be nonfunctional, it shall be repaired or replaced within twenty four (24) hours of discovery.

(3) Temporary sediment basins shall be maintained when sediment reaches one half (1/2) the outlet height or one half (1/2) the storage volume within seventy two (72) hours after discovery.

(4) Additional erosion and sediment control measures shall be installed as directed by the City as found necessary to protect life and limb, the environment, properties or the stability of a property until final stabilization, has been achieved.

1303.09: **ENFORCEMENT ACTIONS:**

Subd. 1. **RIGHT OF ENTRY:** The applicant shall promptly allow the City and its authorized representatives, upon presentation of credentials to:

- a. Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations, inspections or survey.
- b. Bring such equipment upon the permitted site as is necessary to conduct such surveys and investigations.
- c. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of this permitted site.
- d. Inspect the STORM WATER pollution control measures.
- e. Sample and monitor any items or activities pertaining to storm water pollution control measures.
- f. Require removal of any temporary or permanent obstruction to the safe and easy access of such an inspection upon the inspector's request. The cost of providing such access shall be born by the applicant.

- Subd. 2. **LETTER OF WARNING:** The City may inspect the project at any time to determine that adequate construction site runoff control is being exercised in accordance with the provisions of this Chapter, approved land disturbance plan, or City of Mounds View Land Disturbance and Implementation Requirements. If, based on the City inspection, the site is out of compliance with said provisions, the City will issue a letter of warning to the permit holder outlining the areas of the site in noncompliance and specify a time period in which corrections shall occur.
- Subd. 3. **NOTICE OF VIOLATION:** If the corrective work is not completed and compliance with the plan has not occurred within the time period set forth in the letter of warning, the City will issue a notice of violation which describes the type of penalty being issued to the applicant as described in Section 1303.10.
- Subd. 4. **EMERGENCY CORRECTIVE ACTION:** In the event circumstances exist such that noncompliance poses an immediate danger to the public health, safety and welfare, as determined by the City, the City may take emergency corrective action to prevent any such danger. The City shall make a reasonable effort to contact and direct the owner of the subject property to take any necessary action. Any costs incurred by the City in connection with any emergency action may be recovered from the applicant's financial security.

1303.10: PENALTIES:

- Subd. 1. **SUSPENSION OR REVOCATION:** The City may, in writing, suspend or revoke a permit issued under the provisions of this Chapter whenever the permit is issued in error or on the basis of incorrect information supplied, or is found to be in violation of any ordinance or regulation or any of the provisions of this Chapter.
- Subd. 2. **CITY REMEDY:** If compliance with the approved land disturbance plan is not accomplished within the allowable time period described in the letter of warning, the City may bring the project into compliance by use of the financial security based on a time period written in the notice of violation.
- Subd. 3. **STOP WORK ORDER:** If corrective actions identified in the letter of warning are not completed by the time period set forth by the City in the letter, the Public Works Director or his or her designee may issue an order for the City to stop all inspections required for land use or building permit approvals for the site until all corrective actions identified in the letter of warning are completed. The applicant shall notify the Public Works Director or his or her designee upon completion of the corrective action. Once the Public Works Director has verified that corrective action has been taken, he or she shall inform the applicant and the City shall resume inspections on the site no later than the following business day.

- Subd. 4. FINES: Any person that violates any provision of this Chapter may be given an administrative citation and be required to pay an administrative fine pursuant to the administrative offense provision of the City Code.
- Subd. 5. MISDEMEANOR: Any person convicted of violating any provision of this Chapter shall be guilty of a misdemeanor and shall be subject to a fine or imprisonment as specified by state statute. Such penalty may be imposed in addition to an action against the financial security, a stop work order or suspension or revocation of the permit by the City.

Policy 13: The City will review and update City code as necessary to include the nutrient and sediment load reduction standard mentioned above. This policy is consistent with BMP 5-2 in the City's SWPPP.

Policy 14: The City will require outlet skimming up to the 1-year storm event HWL in all new surface water ponds. This policy is consistent with Policy B.1 in the RCWD WMP.

7.2.5 EROSION AND SEDIMENT CONTROL

Goal: Prevent sediment from construction sites from entering the City's surface water resources.

Policy 15: Continue to enforce the City's existing Construction Site and Land Disturbance Runoff Control ordinance (City Code Chapter 1303), updating this ordinance as necessary to maintain consistency with state guidance as outlined in the MS4 permit, and RCWD Rules. This policy is consistent with BMP 4-1 in the City's SWPPP and Policies C.4 and C.5 in the RCWD WMP.

Policy 16: The City will require that erosion and sediment control practices are consistent with the standards identified in the current MPCA Construction General Permit, the Minnesota Stormwater Manual, and the RCWD WMP and current rules. This policy is consistent with BMP 4-1 in the City's SWPPP and Policies C.4 and C.5 in the RCWD WMP.

7.3 RESOURCE MANAGEMENT

Overall Goal: Protect the City's wetlands, lakes, groundwater, and natural areas to preserve the functions and values of these resources for future generations through the Wetland Conservation Act, buffer standards, groundwater protection rules and coordination with outside agencies.

7.3.1 WETLAND MANAGEMENT

Goal: Protect and preserve wetlands to maintain or improve their function and value.

Policy 17: The City will defer the administration of WCA responsibilities to the RCWD. As projects are submitted, the City will continue to coordinate WCA activities with the RCWD. This policy is consistent with Policies B.2 and E.2 in the RCWD WMP.

Policy 18: The City will coordinate wetland restoration activities with the RCWD.

Policy 19: The City will require that runoff from new development, redevelopment, or site expansion projects be pre-treated prior to discharge to wetlands. This policy is consistent with Policy B.1 in the RCWD WMP.

Policy 20: The City will require that, before development activities or public projects, the owner or developer complete a wetland delineation, including a field delineation and a report detailing the findings of the delineation.

Policy 21: The City will require that a wetland inventory and assessment be prepared for any new development, redevelopment, or site expansion project containing a wetland. Minnesota Routine Assessment Methodology (current version) is the required method of assessment for evaluating wetland functions and values.

CHAPTER 1302

**SURFACE WATER DRAINAGE MANAGEMENT
AND DEVELOPMENT CONTROL¹**

SECTION:

- 1302.01: Findings of Fact
- 1302.02: Purpose and Applicability of Provisions
- 1302.03: Definitions
- 1302.04: Local Water Management Plan
- 1302.05: Required Facilities
- 1302.06: Design Standards
- 1302.07: Variances and Appeals
- 1302.08: Responsibility
- 1302.09: Violations and Penalty

1302.01: **FINDINGS OF FACT:**

- Subd. 1. The public interest necessitates sound land use development as land is a limited and irreplaceable resource and the land within the Municipality is a resource to be developed in a manner which will result in minimum damage to the quality of life and to property and threat to health and reductions of private and public economic loss caused by drainage problems.
- Subd. 2. The existing drainage system in Mounds View, in general, adequately meets the needs of the City. However, the storm drainage system will not, in the future, provide adequate or proper drainage in those areas of the City subject to substantial residential, commercial or industrial development unless the large increase in storm water runoff that is known to result from such development is properly controlled and regulated. The consequence of not restricting such increase in runoff would be to subject a major portion of the lands of the City to high water tables, drainage problems, storm water flooding by heavy rains, inadequate drainage facilities, causing erosion, damage to property, disruption of residential, commercial and governmental services, unsanitary conditions and interruptions of transportation, all of which would be detrimental to the health, safety, welfare and property of affected residents of the City. (Ord. 507, 4-27-92)

¹ See also subdivision 607.03(3)o and Section 1006.06 of this Code.

1302.02: PURPOSE AND APPLICABILITY OF PROVISIONS:**Subd. 1. Purposes:**

a. The efforts of the City's water management programs are to prevent flooding and improve water quality through the best possible utilization of wetlands and artificial detention areas. Wetland management, as opposed to preservation, will allow the City to maintain the integrity of its wetlands while improving water quality and reducing the City maintenance efforts.

b. To guide and control new development of lands within the City in ways that will be consistent with the zoning laws² and Comprehensive Development Plan in force at the time of the development, consistent with the requirements of Rice Creek Watershed District, Municipal Code, Minnesota Statutes and other regulatory agencies and consistent with sound economic policies as such policies affect property owners and the proponents of new developments and to require proponents of new developments to adopt sound development plans and proposals that will cause no economic burden both as to storm waters or drainage on the owners of abutting or adjoining properties or affected properties or on the property owners of the City at large.

Subd. 2. Applicability:

a. The requirements adopted herein shall apply to all development proposals that are subject to the provisions of Section 1006.06 of this Code.

b. If this Chapter or any provision herein is held to be applicable to any person, property or work, such holding shall not affect the applicability hereof to any other person, property or work. (Ord. 507, 4-27-92)

1302.03: **DEFINITIONS:** Definitions related to this Chapter are contained in Volume 3, appendix C of the Local Water Management Plan. (Ord. 507, 4-27-92)

1302.04: **LOCAL WATER MANAGEMENT PLAN:** The Local Water Management Plan was prepared for the City in accordance with Minnesota Statutes 103B.201 through 103B.255. The Plan and policies of providing for future development while minimizing surface water problems. The goals, policies and development guidelines in the Local Water Management Plan are hereby incorporated by reference into this Chapter. A copy on file in the office of the City Administrator for public use and inspection. (1993 Code) (Ord. 507, 4-27-92; Ord. 844, 5-20-10)

² See Title 1100 of this Code.

1302.05: REQUIRED FACILITIES:

Subd. 1. Facilities Required: The City may, as its sole discretion, require retention and/or detention areas and associated water quality improvement structures for any development proposal to meet conveyance systems.

Subd. 2. Performance Guarantee: Whenever privately owned and maintained drainage improvements shall be required for a development by the City, the developer shall provide a seven (7) year maintenance/performance guarantee to assure proper maintenance and operation of such improvements. In such cases, the developer shall also hold the City harmless for any defect in design, construction or operation.

Subd. 3. Financial Responsibility: Drainage facility improvements required for any development proposal shall be the financial responsibility of the developer. (Ord. 507, 4-27-92)

1302.06: DESIGN STANDARDS: Storm sewer system required for any development shall be constructed to at least a five (5) year frequency storm design; retention basins shall be constructed to retain at least a 100-year storm while allowing, at a maximum, the amount of runoff from the property that will occur in its undeveloped state resulting from a five (5) year storm. (Ord. 507, 4-27-92)

1302.07: VARIANCES AND APPEALS:

Subd. 1. Processing of Application: Any application for variances or appeals shall be processed according to the procedures specified in Title 1100 of this Municipal Code³.

Subd. 2. Restrictions on Granting Variances: No variance may be granted which would allow any use that is prohibited in the zoning district in which the property is located or which would:

a. Result in incompatible land uses or which would be detrimental to the protection of surface and ground water supplies.

b. Increase the financial burdens imposed on the community through increasing floods and overflow of water onto land areas within this City or onto land areas adjacent to Rice Creek.

c. Be not in keeping with land use plans and planning objectives for the City or which would increase or cause danger to life or property.

d. Be inconsistent with the goals, policies and development guidelines of the Local Water Management Plan dated February 12, 1990, subject to subsequent revisions.

³ See Section 1125.02 of this Code.

Subd. 3. Required Supporting Data: No permit or variance shall be issued unless the applicant, in support of the application, shall submit engineering data, surveys, site plans and other information as the City may require in order to determine the effects of such development on the affected land and water area. (Ord. 507, 4-27-92)

1302.08: **RESPONSIBILITY:** Neither the issuance of a permit nor compliance with the conditions thereof nor the provisions of this Chapter shall relieve any person from any responsibility otherwise imposed by law for damages to persons or property nor shall the issuance of any permit hereunder serve to impose any liability on the Municipality or its officers or employees for injury or damage to person or property. A permit issued pursuant to this Chapter shall not relieve the permittee of the responsibility of complying with any other requirements established by law, regulation or ordinance. (Ord. 507, 4-27-92)

1302.09: **VIOLATIONS AND PENALTY:** Any person who violates the provisions of this Chapter shall be guilty of a misdemeanor. Each day during which said violation exists is a separate offense. Any violation of this Chapter is a public nuisance and may be enjoined by civil action. Costs of any civil enforcement shall be assessed against the party so enjoined. Any person who, in violation of this Chapter, alters, changes or modifies any surface water drainage facilities shall restore such facilities to their original condition within the time limit set by the Council. (Ord. 507, 4-27-92)

Section 7 – Goals and Policies

7.1 SUMMARY

Surface water management issues within the City are primarily defined by the requirements of current or pending programs. The goals and policies outlined in this plan are grouped by their relationship to the key issues listed below:

- Section 7.2 Land Development and Redevelopment – Goals and policies to prevent flooding and adverse impacts to water resources from land disturbance and impervious surfaces.
- Section 7.3 Resource Management – Goals and policies for managing Mounds View’s wetlands, lakes, and groundwater, to preserve the functions and values of these resources.
- Section 7.4 Citywide Program Elements – Goals and policies for managing water resources and drainage systems on a citywide scale, to effectively achieve surface water management goals.
- Section 7.5 Support of Other Agencies – Goals and policies to coordinate local surface water management with the work of the local RCWD and state agencies.

The following goals and policies reflect current City policy and Mounds View’s current SWPPP, as well as additional goals and policies necessary for consistency with the goals and policies of State, Regional, and local watershed authorities. More specifically, the following goals and policies reflect those identified in the RCWD WMP for subwatersheds 13a and 16.

7.2 LAND DEVELOPMENT AND REDEVELOPMENT

Overall Goal: Manage land disturbance and increased impervious surfaces to prevent flooding and adverse impacts to water resources through the cooperation with the surface water management standards identified by the RCWD with jurisdiction in Mounds View.

7.2.1 RUNOFF RATE

Goal: Control the rate of surface water runoff from development to reduce downstream flooding and erosion.

Policy 1: Peak runoff rates from regulated new development, redevelopment, or site expansion projects shall not exceed existing rates for the 2-year, 10-year, and 100-year rainfall events. Rate control below existing rates may be necessary where downstream capacity issues are identified, which will require coordination with the RCWD and adjacent municipalities.

Policy 2: The City will review and update City code as necessary to include the rate control policy identified above. This policy is consistent with BMP 5-2 in the City’s SWPPP.

Policy 3: The City will require that the maximum duration for rainfall critical event analysis shall be 24 hours. The City will require the use of the hydrograph method of analysis and the SCS Type II storm distribution.

7.2.2 FLOOD PREVENTION AND FLOODPLAIN MANAGEMENT

Goal: Provide adequate storage and conveyance of runoff and control development in flood prone areas to protect the public safety and minimize property damage.

- Policy 4:** The City will require that the low opening and low floor elevations of new structures to meet the RCWD freeboard requirements in Rule C, Section 8(e).
- Policy 5:** Require on-site mitigation for any loss in existing flood storage volume, unless the 100-year floodplain boundary is fully contained on-site, to preserve the existing water storage capacity of all waterbodies in the City and minimize the frequency and severity of high water. This policy is consistent with Policies A.3 and C.1 in the RCWD WMP.
- Policy 6:** Continue to enforce the City's existing Flood Plain Zoning ordinance (City Code Chapter 1301), updating this ordinance as necessary to maintain consistency with state and RCWD guidance. This policy is consistent with Policy C.3 in the RCWD WMP.

7.2.3 RUNOFF VOLUME

Goal: Reduce pollutant loads and impacts to water bodies and encourage groundwater recharge, by reducing the volume of surface water runoff from development and redevelopment areas.

- Policy 7:** The City will defer the enforcement of volume control requirements to the RCWD for new development, redevelopment, or site expansion projects in the City.
- Policy 8:** The City will review and update City Code as necessary to include the volume control standard mentioned above.

Goal: Reduce the volume of surface water runoff from existing developed areas.

- Policy 9:** The City will coordinate efforts with the RCWD to minimize impervious surfaces (where feasible) when reconstructing streets and other paved surfaces to provide volume control benefit.
- Policy 10:** Where practical, the City will encourage the use of infiltration BMPs in existing developed areas, taking into consideration site limitations such as soil conditions, depth to groundwater, safety, snow removal, and maintenance issues.

7.2.4 NUTRIENT AND SEDIMENT LOADING

Goal: Reduce the nutrient and sediment loads discharged from land development or redevelopment.

- Policy 11:** The City will strive for the nondegradation of receiving waters in Mounds View by enforcing current surface water management standards, and in cooperation with RCWD rules. This policy is consistent with Policy B.1 in the RCWD WMP.
- Policy 12:** The City will require nutrient and sediment load reductions consistent with the Nationwide Urban Runoff Program (NURP) and Minnesota Pollution Control Agency guidelines in design and construction of new or modifications to existing surface water conveyance systems. Under no circumstances shall overall treatment in a new development, redevelopment, or site expansion project in any part of the City fall below 50% post-development removal for phosphorous and 80% post-development removal for total suspended solids. RCWD rules incorporate the nutrient and sediment load requirements into the Districts volume control requirement. This policy is consistent with Policy B.1 in the RCWD WMP.

Policy 13: The City will review and update City code as necessary to include the nutrient and sediment load reduction standard mentioned above. This policy is consistent with BMP 5-2 in the City's SWPPP.

Policy 14: The City will require outlet skimming up to the 1-year storm event HWL in all new surface water ponds. This policy is consistent with Policy B.1 in the RCWD WMP.

7.2.5 EROSION AND SEDIMENT CONTROL

Goal: Prevent sediment from construction sites from entering the City's surface water resources.

Policy 15: Continue to enforce the City's existing Construction Site and Land Disturbance Runoff Control ordinance (City Code Chapter 1303), updating this ordinance as necessary to maintain consistency with state guidance as outlined in the MS4 permit, and RCWD Rules. This policy is consistent with BMP 4-1 in the City's SWPPP and Policies C.4 and C.5 in the RCWD WMP.

Policy 16: The City will require that erosion and sediment control practices are consistent with the standards identified in the current MPCA Construction General Permit, the Minnesota Stormwater Manual, and the RCWD WMP and current rules. This policy is consistent with BMP 4-1 in the City's SWPPP and Policies C.4 and C.5 in the RCWD WMP.

7.3 RESOURCE MANAGEMENT

Overall Goal: Protect the City's wetlands, lakes, groundwater, and natural areas to preserve the functions and values of these resources for future generations through the Wetland Conservation Act, buffer standards, groundwater protection rules and coordination with outside agencies.

7.3.1 WETLAND MANAGEMENT

Goal: Protect and preserve wetlands to maintain or improve their function and value.

Policy 17: The City will defer the administration of WCA responsibilities to the RCWD. As projects are submitted, the City will continue to coordinate WCA activities with the RCWD. This policy is consistent with Policies B.2 and E.2 in the RCWD WMP.

Policy 18: The City will coordinate wetland restoration activities with the RCWD.

Policy 19: The City will require that runoff from new development, redevelopment, or site expansion projects be pre-treated prior to discharge to wetlands. This policy is consistent with Policy B.1 in the RCWD WMP.

Policy 20: The City will require that, before development activities or public projects, the owner or developer complete a wetland delineation, including a field delineation and a report detailing the findings of the delineation.

Policy 21: The City will require that a wetland inventory and assessment be prepared for any new development, redevelopment, or site expansion project containing a wetland. Minnesota Routine Assessment Methodology (current version) is the required method of assessment for evaluating wetland functions and values.

ORDINANCE NO. 868

**CITY OF MOUNDS VIEW
COUNTY OF RAMSEY
STATE OF MINNESOTA**

**AN ORDINANCE CREATING A NEW CHAPTER TO TITLE 900 REGULATING
ILLCIT DISCHARGE AND CONNECTIONS TO STORM DRAINAGE SYSTEM**

THE CITY OF MOUNDS VIEW ORDAINS:

SECTION 1. The City Council of the City of Mounds View hereby amends Title 900 by adding a new chapter regulating illicit discharge and connections to the storm drainage system as follows:

CHAPTER 912

ILLCIT DISCHARGE AND CONNECTIONS TO STORM DRAINAGE SYSTEM

SECTION:

- 912.01: Purpose/Intent
- 912.02: Definitions
- 912.03: Applicability
- 912.04: Responsibility for Administration
- 912.05: Ultimate Responsibility
- 912.06: Discharge and Connection Prohibitions
- 912.07: Watercourse Protection
- 912.08: Industrial or Construction Activity Discharges
- 912.09: Right of Entry
- 912.10: Requirement to Prevent, Control, and Reduce Storm Water Pollutants by the Use of Best Management Practices
- 912.11: Violations, Enforcement, and Penalties
- 912.12: Remedies Not Exclusive

912.01: PURPOSE/INTENT: The purpose of this Chapter is to promote, protect, and enhance the natural resources within the City of Mounds View and provide for the health, safety, and general welfare of its citizens through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This Chapter establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National

Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this Chapter are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system by storm water discharges by any user.
- (2) To prohibit illicit connections and discharges to the municipal separate storm sewer system.
- (3) To establish legal authority to carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with this Chapter.

912.02: **DEFINITIONS:** The following definitions apply in this Chapter:

- Subd. 1. CITY. The City of Mounds View, Minnesota and its elected officials, officers, employees, and agents.
- Subd. 2. BEST MANAGEMENT PRACTICES (BMPs). Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
- a. STRUCTURAL BMPs are physical devices that are typically designed and constructed to trap or filter pollutants from storm water runoff or reduce runoff velocities.
 - b. NON-STRUCTURAL BMPs are practices that typically focus on preserving open space, protecting natural systems, and incorporate other existing landscape features to manage storm water runoff at its source.
- Subd. 3. CLEAN WATER ACT. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.
- Subd. 4. CONSTRUCTION ACTIVITY. Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
- Subd. 5. HAZARDOUS MATERIALS. Any material, including, any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of or otherwise managed.
- Subd. 6. ILLEGAL / ILLICIT DISCHARGE. Any direct or indirect non-storm water discharge to the storm drainage system, except as exempted in this Chapter.

Subd. 7. **ILLICIT CONNECTIONS.** An illicit connection is defined as either of the following:

a. Any drain or conveyance, whether on the surface or subsurface, that allows an illegal discharge to enter the storm drainage system including, but not limited to, any conveyances that allow any non-storm water discharge of sewage, process wastewater, and wash water to enter the storm drainage system, and any connections to the storm drainage system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the City.

b. Any drain or conveyance connected from a commercial or industrial land use to the storm drainage system that has not been documented in plans, maps, or equivalent records and approved by the City.

Subd. 8. **INDUSTRIAL ACTIVITY.** Activities subject to NPDES Industrial Storm Water Permits as defined in 40 CFR, Section 122.26 (b)(14).

Subd. 9. **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4).** The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the City and designed or used for collecting or conveying storm water, and that is not used for collecting or conveying sewage.

Subd. 10. **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT.** A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Subd. 11. **NON-STORM WATER DISCHARGE.** Any discharge to the storm drainage system that is not composed entirely of storm water.

Subd. 12. **PERSON.** Any individual, association, organization, partnership, firm, corporation, or other entity recognized by law and acting either as the owner or as the owner's agent.

Subd. 13. **POLLUTANT.** Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; undiluted coal tar-based sealers or other products containing polycyclic aromatic hydrocarbons (PAHs); non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous materials and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Subd. 14. **PREMISES.** Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Subd. 15. **STORM DRAINAGE SYSTEM.** Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Subd. 16. **STORM WATER.** Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Subd. 17. **STORMWATER POLLUTION PREVENTION PLAN (SWPPP).** A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm Water, Storm Water Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Subd. 18. **WASTEWATER.** Any water or other liquid, other than uncontaminated storm water, discharged from any premises.

912.03: **APPLICABILITY:** This Chapter shall apply to all water entering the storm drainage system generated on any premises unless explicitly exempted by the City.

912.04: **RESPONSIBILITY FOR ADMINISTRATION:** The Director of Public Works is the principal City official responsible to administer, implement, and enforce the provisions of this Chapter. The Director may delegate any or all of the duties hereunder to designated persons or entities acting in the beneficial interest of or in the employ of the City.

912.05: **ULTIMATE RESPONSIBILITY:** The standards set forth herein and promulgated pursuant to this Chapter are minimum standards; therefore, this Chapter does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants.

912.06: **DISCHARGE AND CONNECTION PROHIBITIONS**

Subd. 1. **Prohibition of Illegal Discharges:** No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the MS4 any pollutants or waters containing any pollutants, other than storm water.

Subd. 2. **Exemptions to Discharge Prohibitions:** The commencement, conduct, or continuance of any illegal discharge to the storm drainage system is prohibited except as described as follows:

a. Discharges resulting from the following activities: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water

from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water.

b. Discharges or flow from fire fighting, and other discharges specified in writing by the City as being necessary to protect public health and safety.

c. Discharges associated with dye testing. Persons performing this activity are required to verbally notify the City prior to the time of the dye test.

d. Any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the United States Environmental Protection Agency (EPA), provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drainage system.

Subd. 3. Prohibition of Illicit Connections:

a. The construction, use, maintenance, or continued existence of illicit connections to the storm drainage system is prohibited.

b. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

c. A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

d. Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved on-site wastewater management system or the sanitary sewer system upon approval of the City.

e. Any drain or conveyance that has not been documented in plans, maps, or equivalent, and which may be connected to the storm drainage system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented by qualified persons and provided to the City in a format acceptable to the City.

Subd. 4. Prohibition of Illegal Disposal and Dumping: No person shall throw, deposit, place, leave, maintain, or keep any pollutant or substance upon any pavement, storm drain inlet, or other areas exposed to precipitation that may cause pollutant or substance to become an illicit discharge. The intentional disposal of grass, leaves, dirt, or other material into a water resource, buffer, street or pavement, storm drain inlet, conveyance, or other component of the storm drainage system shall also be prohibited.

912.07: **WATERCOURSE PROTECTION:** Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

912.08: **INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES:**

Subd. 1. Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City prior to the allowing of any discharges to the MS4.

Subd. 2. The operator of a facility, including construction sites, required to have an NPDES permit to discharge storm water associated with industrial activity shall submit a copy of the Notice of Intent to the City at the same time the operator submits the original Notice of Intent to the EPA as applicable.

Subd. 3. The copy of the Notice of Intent to Discharge Storm Water may be delivered to the City either in person or by mailing it to:

Director of Public Works
City of Mounds View
2401 County Highway 10
Mounds View, MN 55112

Subd. 4. A person commits an offense if the person operates a facility that is discharging storm water associated with industrial activity without having submitted a copy of the Notice of Intent to do so to the City.

912.09: **RIGHT OF ENTRY:** The City shall be permitted to enter and inspect premises subject to regulation under this Chapter as often as may be necessary to determine compliance with this Chapter. Unreasonable delays in allowing the City access to enter and inspect premise is a violation of this Chapter.

912.10: **REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES:**

Subd. 1. The City may adopt requirements identifying Best Management Practices for any activity, operation, or facility that may cause or contribute to pollution or contamination of storm water, the storm drainage system, or waters of the United States. The owner or operator of such activity, operation, or facility shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials, or other wastes into the storm drainage system or watercourses using these structural and nonstructural BMPs.

Subd. 2. Further, any person responsible for a property or premises that is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the maximum extent practicable, shall be deemed compliant with the provisions of this section. These BMPs shall be part of a storm water pollution prevention plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

912.11: VIOLATIONS, ENFORCEMENT, AND PENALTIES:

Subd. 1. Any person violating any provision of this Chapter is guilty of a misdemeanor.

Subd. 2. Emergency cease and desist orders. When the City finds that any person has violated, or continues to violate any provision of this Chapter, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s) has (have) caused or contributed to an actual or threatened illicit discharge to the MS4 or waters of the state, which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the City may issue an order to the violator directing it to immediately cease and desist all such violations.

Subd. 3. Suspension due to the detection of illicit discharge. Any person discharging to the MS4 in violation of this Chapter may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. Such suspension may also be imposed if it is necessary to stop an actual or threatened illicit discharge that presents or may present imminent and substantial danger.

Subd. 4. Violations deemed a public nuisance. In addition to the enforcement processes and penalties provided in this Chapter, any condition caused or permitted to exist in violation of any of the provision of this Chapter is a threat to public health, safety, and welfare, and is declared and deemed a public nuisance, and may be summarily abated or restored at the violator's expense; and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the City.

Subd. 5. Assessments. All costs and expenses, including attorney and consultant fees, incurred by the City in abating any public nuisance under this Chapter may be assessed against the premises at which the violation exists as a special assessment or a charge under Minnesota Statutes, Municipal Code, or City Charter.

912.12: **REMEDIES NOT EXCLUSIVE:** The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the City to seek cumulative remedies. The City may recover all attorneys' fees, court costs, and other expenses associated with enforcement of this Chapter, including sampling and monitoring expenses.

SECTION 2. In accordance with Section 3.07 of the City Charter, City staff will have the following summary printed in the official newspaper in lieu of the complete ordinance:

On February 27, 2012, the Mounds View City Council adopted Ordinance 868 that creates a new chapter to Title 900 regulating illicit discharges and connections to the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The ordinance establishes methods to control the introduction of pollutants into the storm drainage system, prohibits illicit discharges and connections to the system, and establishes enforcement procedures necessary to ensure compliance with the chapter regulations.

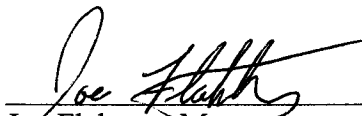
A printed copy of the ordinance is available for inspection during regular business hours at the Mounds View City Hall and is available on-line at www.ci.mounds-view.mn.us.

SECTION 3. This ordinance shall take effect thirty (30) days after the date of its publication.

First reading and introduction by the Mounds View City Council on February 13, 2012.

Second reading and adoption by the Mounds View City Council on February 27, 2012.

Published in the official City newspaper on March 8, 2012.



Joe Flaherty, Mayor

ATTEST:



James Ericson, City Administrator

(SEAL)

Policy 22: A minimum wetland buffer width around all wetlands of 16.5 feet is required and the procedures for the City's Wetland Alteration Permit and Wetland Buffer Permit (City Code Chapter 1010) must be followed.

7.3.2 LAKE MANAGEMENT

Goal: Improve water quality and protect resource value of Spring Lake.

Policy 23: The City will cooperate with the RCWD to identify possible activities to improve water quality in Spring Lake. This includes the findings presented in Phase II of the RCWD Southwest Urban Lakes Study. This policy is consistent with Policy E.5 in the RCWD WMP.

7.3.3 GROUNDWATER RECHARGE AND PROTECTION

Goal: Protect groundwater resources and groundwater-dependent surface water and natural resources.

Policy 24: The City will cooperate with Ramsey County, the Minnesota Department of Health, and RCWD to identify and protect critical groundwater resource areas. This policy is consistent with Policies B.5, D.1, and D.2 in the RCWD WMP.

Policy 25: The City will coordinate efforts with other agencies to implement the recommendation identified in the City's Wellhead Protection Plan and Ramsey County Groundwater Quality and Protection Plan. This policy is consistent with Policies B.5, D.1, and D.2 in the RCWD WMP.

7.3.4 NATURAL AREA MANAGEMENT

Goal: Protect and enhance natural areas within the City to provide wildlife habitat and water resource benefits.

Policy 26: The City will support programs to maintain and restore the resource value of natural areas and enhance water based recreational opportunities. This policy is consistent with Policy E.5 in the RCWD WMP.

Policy 27: The City will review and update City code as necessary to include language specific to shoreland management, consistent with state and RCWD guidance. This policy is consistent with Policy E.1 in the RCWD WMP.

Policy 28: Coordinate with the Department of Natural Resources to enhance fish and wildlife habitats, and protect rare and endangered species. This policy is consistent with Policies E.3 and E.4 in the RCWD WMP.

7.4 CITYWIDE PROGRAM ELEMENTS

Overall Goal: Manage water resources and drainage systems on a citywide scale, including monitoring and maintenance of drainage systems, targeted pollution prevention, public education, system reconstruction projects, and equitable collection of supporting funds.

7.4.1 POLLUTION PREVENTION

Goal: Detect and address urban pollutants discharged to storm sewers.

Policy 29: The City will actively implement the NPDES Stormwater Pollution Prevention Plan as stated in the most current version of the MS4 permit.

Policy 30: The City will review and update City code as necessary to include language for Illicit Discharge and Illicit Connection consistent with current state guidance. This policy is consistent with BMP 3-2 in the City's SWPPP.

Policy 31: The City will complete employee training in the operation, maintenance and inspection of the City's storm sewer system. This policy is consistent with BMP 6-7 in the City's SWPPP.

7.4.2 MONITORING AND MAINTENANCE

Goal: Maintain the function and effectiveness of the City's surface water management system through monitoring and maintenance.

Policy 32: The City will continue to conduct bi-annual street sweeping. This policy is consistent with BMP 6-2 in the City's SWPPP.

Policy 33: The City will continue inspection and maintenance of the City's surface water conveyance and ponding system as outlined in the City's SWPPP. This policy is consistent with BMPs 5-5, 6-4, 6-7, 6-8, and 6-10 in the City's SWPPP.

7.4.3 PUBLIC EDUCATION

Goal: Inform and educate residents, property owners, and business operators about surface water pollution, the effects of urban runoff and the need to protect natural resources.

Policy 34: The City will implement a public education and outreach program as identified in the City's NPDES permit, and coordinate these activities with the Ramsey Conservation District and RCWD where feasible to maximize the impact of these efforts. This policy is consistent with BMPs 1-1, 1-3, 1-4, and 2-3 in the City's SWPPP.

Policy 35: The City will promote citizen and volunteer efforts to protect, restore and enhance local water and natural resources. This policy is consistent with BMPs 2-1 and 2-5 in the City's SWPPP.

Policy 36: The City will use available opportunities through its newsletter, public meetings, website, Comprehensive Plan, or interpretive elements at parks and open space sites to inform its residents about the value of local water resources, the effects of stormwater runoff, and opportunities for stewardship of water and natural resources. This policy is consistent with BMPs 1-1 through 1-4 in the City's SWPPP.

7.4.4 FUNDING

Goal: Secure adequate funding to support implementation of the LSWMP.

Policy 37: The City will review the adequacy of the existing Storm Water Management Fund (City Code Section 203.07) to pay for the implementation of the projects and actions identified in Section 8. The Fund rates will be revised accordingly.

Policy 38: The City will seek grant funds or other resources to assist with special projects or implementation of plan goals.